

Friday, September 13, 2019

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St SW
Washington, DC 20554

RE: KIOF 97.9 FM / Las Vegas Public Radio Building Penetration/Dominant Small Business Issues
July 30, 2019 - Notice of Proposed Rulemaking on Improving Low Power FM Radio Service
(MB Docket No. 19-193/MB Docket No. 17-105)

We supply additional comments regarding the Corporation for Public Broadcasting application and new application processes and dominant small business issues which relates directly to the July 30, 2019 - Notice of Proposed Rulemaking on Improving Low Power FM Radio Service (MB Docket No. 19-193/MB Docket No. 17-105) at <https://docs.fcc.gov/public/attachments/FCC-19-74A1.pdf> in these very specific areas:

On Page 2 and 3 - Item #3, discussion was made regarding rule changes to address difficulties LPFM stations may experience when trying to maximize coverage of their target communities. For example, it seeks more options in equipment used to transmit and re-transmit LPFM signals, increased power, greater flexibility in relocating LPFM facilities, and additional methods for demonstrating interference protection to other stations ... February 2019 Notice of Proposed Rulemaking in the Comparative Standards proceeding.

On Page 20 - Item #6, discussion was made regarding the Small Business Administration (SBA) ...LPFM stations are classified as radio broadcast stations. Business concerns included in this industry are those primarily engaged in broadcasting aural programs by radio to the public. The SBA defines a radio broadcast station as a small business if such station has no more than \$38.5 million in annual receipts.

On Page 20 and continued onto page 21 first paragraph - Item #7, discussion was made regarding the Small Business Administration (SBA) ...The same SBA definition of \$38.5 million in annual receipts applies to NCE FM stations. Radio stations that the Commission would consider commercial, as well as those it would consider NCE stations, are included in this industry.

On Page 21 - Item #8, discussion was made regarding ...An additional element of the definition of "small business" is that the entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific radio station is dominant in its field of operation. Accordingly, the estimate of small businesses to which the proposed rules may apply does not exclude any radio station from the definition of a small business on this basis and therefore may be over-inclusive to that extent. Also, as noted, an additional element of the definition of "small business" is that the entity must be independently owned and operated. We note that it is difficult at times to assess these criteria in the context of media entities, and our estimates of small businesses to which they apply may be over-inclusive to this extent.

In my previous letter to you back on August 29, 2019, I discussed dominant small business entities as defined by SBA standards in the non-commercial broadcast marketplace (KNPR with 22,000 watts, KCEP with 10,000 watts ERP) over on the far left side of the dial who do not experience many of the

issues as we do (KIOF with 100 Watts ERP). Ironically, these dominant small business entities receive the majority of the Community Service Radio Grant funding through the Corporation for Public Broadcasting annually in the Las Vegas, Nevada marketplace. Why?

KIOF 97.9 FM became an official independent State of Nevada public broadcaster back on June 27, 2018 and has been applying for the same Community Service Radio Grant funding through the Corporation for Public Broadcasting as the other dominant small business entities enjoy with annual rubber-stamping as grantees in the Las Vegas, Nevada market place. KIOF 97.9 FM just receives a denial annually from the Corporation for Public Broadcasting which started back in 2016 and continued in 2017 and 2018 even when all waivers were requested. As of this letter, we still have our new application for 2019 pending on our 4th year in a row filing over at the Corporation for Public Broadcasting. We're doing the same job as the other dominant small business entities – serving the general public in the same community but are continually being blocked from receiving any sort of Community Service Radio Grant funding through the Corporation for Public Broadcasting. Not even a penny. Why?

On August 20, 2019, I emailed Chairman Pai, Commissioner Rosenworcel, Commissioner Starks and Helen Mollick, Corporation for Public Broadcasting, Office Of Inspector General directly on this matter regarding those consecutive back-to-back denials from 2016, 2017 and 2018 from the Corporation for Public Broadcasting. Why is the Corporation for Public Broadcasting using KIOF 97.9 FM as their “personal punching bag” here in the Las Vegas, Nevada marketplace? Has the Corporation for Public Broadcasting been weaponized so certain public broadcasters can continue to self enrich themselves at the expense of other public broadcasters in the same market places around America? Why isn't the Corporation for Public Broadcasting evenly distributing federal tax payer money so all public broadcasters are equally sharing in federal tax payer money in the same market places throughout America? Is this because the dominant small business entities around America wrote all the rules for themselves to ensure their self-enrichment and entitlement? Are we on the verge of real entitlement reform America or should America just completely defund this quasi-federal agency?

Ironically, in recent KIOF 97.9 FM application and KIOF 97.9 FM new application processes at the Corporation for Public Broadcasting, there is a AFR Schedule D (2008) form that is still being included 11 years later. Is this the same form that they were using during the great robbery of the country with the TARP money back during the 2008 Financial Crisis (i.e. the 2008 Financial Coup d'état of America) when they were all stuffing the federal tax-payer money into their pockets for the land, building, equipment, vehicles and other stuff to maintain their status as the dominant small business entities and keep the system rigged for themselves?

With the Most Respect and Honor,

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